

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	Conf. No.: 2776
	:	
Eric J. Streciwilk	:	Group Art Unit: 3723
	:	
Serial No.: 10/806,499	:	Examiner: Grant, Alvin J.
	:	
Filed: March 23, 2004	:	
	:	
For: AGITATOR CAVITY FITTING FOR	:	
FLOOR CARE CLEANING APPARATUS	:	

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appeal is taken from the rejections made in the Office Action mailed on October 5, 2009. Claims 3, 4, 10, 11, 16, and 19-21 are pending, while claims 1, 2, 5-9, 12-15, 17, 18, and 22-26 have been canceled. Appellant's claims have been "twice rejected," as required under 35 USC §134, and no claim currently stands allowed. On December 9, 2009, in response to the non-final Office Action issued on October 5, 2009, Appellant filed an amendment to claim 3. A timely Notice of Appeal and fee was submitted to the Patent Office on December 10, 2009. A final Office Action was issued on January 5, 2010, *after* the Notice of Appeal was filed. Please debit any additional necessary fee due from Deposit Account 11-0978.

Based upon the arguments presented herein, Appellant respectfully requests remand to the Examiner with instructions for immediate allowance of all pending claims.

TABLE OF CONTENTS

I.	Real Party in Interest	4
II.	Related Appeals and Interferences	5
III.	Status of the Claims	6
IV.	Status of Amendments	7
V.	Summary of Claimed Subject Matter	8
VI.	Grounds of Rejection to be Reviewed on Appeal	11
VII.	Argument	12
VIII.	Claims Appendix	24
IX.	Evidence Appendix	27
X.	Related Proceedings Appendix	28

I. REAL PARTY IN INTEREST

The inventor assigned 100% of his interest in the present application to Matsushita Electric Corporation of America, which changed its name to Panasonic Corporation of North America, a Delaware corporation having an address of One Panasonic Way, Secaucus, New Jersey 07094. Accordingly, the real party in interest is Panasonic Corporation of North America.

II. RELATED APPEALS AND INTERFERENCES

The Appellant knows of no other prior or pending appeals, interferences, or judicial proceedings, which may be related to, directly affect, or be directly affected by, or have a bearing on, the Board's decision in this appeal.

III. STATUS OF THE CLAIMS

Claims 3, 4, 10, 11, 16, and 19-21 are all rejected, remain pending, and are appealed herein. Claims 1, 2, 5-9, 12-15, 17, 18, and 22-26 have been canceled.

IV. STATUS OF AMENDMENTS

In response to the non-final Office Action issued on October 5, 2009, Appellant filed an amendment on December 9, 2009, to address the Examiner's rejection to claims 3, 4, 10, and 11 under 35 U.S.C. §112, second paragraph. In particular, Appellant added "at least one connector" to claim 3. On January 5, 2010, after the Notice of Appeal was filed, the USPTO issued a final Office Action that did not contain any rejection under 35 U.S.C. §112, second paragraph. Accordingly, the Examiner has entered Appellant's amendment to claim 3 and the claims are as presented in the December 9, 2009 Amendment. As required, a copy of the pending claims appears in the attached Claims Appendix, *infra*. No amendment has been filed subsequent to the Notice of Appeal or the final Office Action issued on January 5, 2010.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The claims are concisely summarized in the following manner. Parenthetical cites to the specification of the present application are representative in nature.

Claim 3 covers a floor care cleaning apparatus 10. The apparatus 10 includes a nozzle assembly 14 including a housing 35 defining an agitator cavity 36. (*Appellant's Specification*, p.5, ll.15-17, Figures 1, 2, and 4). The apparatus 10 also includes a canister assembly 16 connected to the nozzle assembly 14, a suction generator 34 carried by one of the nozzle assembly 14 and the canister assembly 16, and a dirt collection vessel 28 carried by one of the nozzle assembly 14 and the canister assembly 16. (*Appellant's Specification*, p.5, ll. 4-20, Figure 1). Also, the apparatus 10 includes an agitator cavity fitting 12 received in the agitator cavity 36 of the nozzle assembly 14. (*Appellant's Specification*, p.4, ll.10-12; p.6, ll. 12-p.7, l. 15, Figures 2-4). The agitator cavity fitting 12 includes at least one mounting lug 58, at least one connector 60, a cooperating air guide 52 and a conduit 54, the conduit defining an intake port 56. The housing 35 is further characterized by including at least one receiver 68 receiving the at least one mounting lug 58, at least one slot 66 receiving the at least one connector 60 and a channel 62 for receiving the air guide 52. (*Appellant's Specification*, p.6, l.12-p.7, l. 10, Figures 2-4).

Claim 4 adds to claim 3 the requirement that the at least one receiver comprises at least one aperture 68 receiving the at least one mounting lug 58. (*Appellant's Specification*, p.7, l. 4, Figures 2-4). Claim 10 adds to claim 3 the requirement that the housing 35 also includes an opening 64 receiving said conduit 54. (*Appellant's*

Specification, p.6, ll. 23-24, Figures 2-4). Claim 11 adds the requirement to claim 10 that the air guide 52 partially lines said agitator cavity 36. (*Appellant's Specification*, p.6, ll. 18-20, Figure 4).

Claim 16 covers a floor cleaning apparatus 10. The apparatus 10 includes a housing 35 including an agitator cavity 36, a suction generator 34, and a dirt collection vessel 28. (*Appellant's Specification*, p. 5, ll. 15-17, p.6, ll. 18-20, Figures 1, 2, and 4). The apparatus 10 also includes an agitator cavity fitting 12 received in said agitator cavity 36 of said housing 35, the agitator cavity fitting 36 including at least one mounting connector 60, at least one mounting lug 58, a cooperating air guide 52 and a conduit 54. (*Appellant's Specification*, p.4, ll. 10-12; p.6, l. 12-p.7, l.15, Figures 2-4). The conduit 54 defines an intake port 56 and the housing 35 further includes at least one receiver 68 receiving said at least one mounting lug 58, at least one slot 66 receiving said at least one connector 60 and a channel 62 receiving said air guide 52. (*Appellant's Specification*, p.6, l. 12-p.7, l.10, Figures 2-4).

Claim 19 adds to claim 16 the requirement that the housing 35 also includes an opening 64 receiving said conduit 54. (*Appellant's Specification*, p.6, ll. 23-24, Figures 2-4). Claim 20 adds to claim 19 the requirement that the air guide 52 partially lines said agitator cavity 36. (*Appellant's Specification*, p.6, ll. 18-20, Figure 4). Claim 21 adds to claim 20 the requirement that a tab 55 is carried on said housing 35 and a notch 53 is

carried on said agitator cavity fitting 36, said tab 55 engaging said notch 53. (*Appellant's Specification*, p.6, ll. 18-23, Figures 2-4).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

A. The rejection of claims 3,4, 10, 11, 16, and 19-21 under 35 USC §103(a) as being obvious in view of U.S. Reissued Patent No. RE 31,095 to Tschudy combined with U.S. Patent No. 6,226,832 to McCormick.

B. While not a ground of rejection made by the Examiner, Appellant also requests the Board to review the administrative handling of this file

VII. ARGUMENT

A. CLAIMS 3, 4, 10, 11, 16, AND 19-21 ARE NOT RENDERED OBVIOUS IN VIEW OF U.S. REISSUED PATENT NO. RE 31,095 TO TSCHUDY COMBINED WITH U.S. PATENT NO. 6,226,832 TO MCCORMICK

1. THE PROPOSED MODIFICATION CHANGES THE PRINCIPLE OF OPERATION OF THE INVENTION DISCLOSED IN U.S. REISSUED PATENT NO. RE31,095 TO TSCHUDY

As previously noted, the Examiner rejects claims 3,4, 10, 11, 16, and 19-21 under 35 USC §103(a) as being obvious in view of U.S. Reissued Patent No. RE 31,095 to Tschudy (the “‘095 Patent”) combined with U.S. Patent No. 6,226,832 to McCormick (the “‘832 Patent”). However, the Examiner’s proposed modification changes the principle of operation of the invention disclosed in the ‘095 Patent. Therefore, no *prima facie* case of obvious can be established. *See* MPEP 2143.01(VI) (“If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.”); *see also, In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

In col. 1, ll.37-42, the ‘095 Patent states that, “[i]t would, additionally, be advantageous *to provide an expanding groove to increase the cross sectional area of the nozzle*, as it approached its suction tube, to provide, as much as possible, for a uniform velocity and pressure of suction air across the nozzle mouth to promote uniform cleaning.” (emphasis added). In fact, the entire impetus of the ‘095 Patent is a vacuum

cleaner having a nozzle with an expanding groove to increase the cross sectional area of the nozzle. *See* '095 Patent, Summary of Invention, col. 1, l.45-col. 2, ll. 5.

In contrast, the '832 Patent discloses an *inner agitator shield* 58 that includes an *elongated, substantially arcuate body* 60 which forms a concavity that cooperates with the base 36 to define the agitator chamber 62 in which the agitator 40 is mounted. *See* '832 Patent, col. 4, ll. 47-50. On pages 2 and 3 of the January 5, 2010 Office Action, the Examiner states that "[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to have used a lug to secure the agitator shield to the nozzle of Tschudy's apparatus so as to facilitate the removal of the inner shield from the nozzle assembly." In other words, the Examiner desires to redesign the invention in the '095 Patent to include the inner agitator shield 58 of the '832 Patent. However, it is improper to combine the '095 and '832 Patents because the Examiner's proposed modification would change the principle of operation of the invention in the '095 Patent being modified and the teachings of the references are not sufficient to render the claims *prima facie* obvious. Specifically, if one inserts the *substantially arcuate inner shield* of the '832 Patent in the vacuum cleaner in the '095 Patent, it would cover the expanding groove that is specifically and intentionally provided to increase the cross sectional area of the nozzle. The modified '095 device would have the arcuate inner shield with no groove that would have a constant cross sectional area of the nozzle. The coverage of the groove discussed in the '095 Patent would completely change the principle of operation

of the vacuum cleaner disclosed therein. Accordingly, no *prima facie* case of obviousness exists.

**2. THE EXAMINER PROVIDES NO REASON WHY A SKILLED ARTISAN
WOULD COMBINE THE '095 AND '832 PATENTS**

The allocation of burden of proof requires that the USPTO produce the factual basis for its rejection under 35 U.S.C. §103. *In re Piasecki*, 745 F.2d 1468, 223 USPQ 785 (Fed. Cir. 1984). Thus, the examiner bears the initial burden of presenting a *prima facie* case of unpatentability. *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). *In re Warner*, 54 C.C.P.A. 1628, 1635 (C.C.P.A. 1967) (“The Patent Office has the initial duty of supplying the factual basis for its rejection. It may not, because it may doubt that the invention is patentable, resort to speculation, unfounded assumptions or hindsight reconstruction to supply deficiencies in its factual basis. To the extent the Patent Office rulings are so supported, there is no basis for resolving doubts against their correctness. Likewise, we may not resolve doubts in favor of the Patent Office determination when there are deficiencies in the record as to the necessary factual bases supporting its legal conclusion of obviousness.”).

Under current Office procedures, evidentiary support for a reason for combining two references is undoubtedly still a requirement of a *prima facie* case of obviousness. See Memorandum of Margaret A. Focarino, Deputy Commissioner for Patent Operations, May 3, 2007 (“in formulating a rejection under 35 U.S.C. 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the

manner claimed . . .”) (emphasis added). Indeed, current Supreme Court precedent recognizes that the ability to “merely demonstrat[e] that each of its elements was, independently, known in the prior art” is insufficient to establish obviousness. *See KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398; 127 S. Ct. 1727, 167 L. Ed. 2d 705 (U.S. 2007) (holding that obviousness cannot be proven **“merely by demonstrating that each of its elements was, independently, known in the prior art . . .”**) (emphasis added). Rather, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements.” *Id.* at 1741. A proper “reason” must also have a rational underpinning, which must be articulated in the record. *Id.* (citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) (“[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness”)).

In this instance, the Examiner fails to provide a proper reason for combining the ‘095 and ‘832 Patents. Instead, the Examiner merely provides conclusory statements that it would have been obvious to use “a lug to secure the agitator shield to the nozzle of Tschudy’s apparatus so as to facilitate the removal of the inner shield from the nozzle assembly.” Office Action, January 5, 2010, p. 3. The Examiner does not provide a proper reason with a rational underpinning, as required.

3. THE '095 AND '832 PATENTS FAIL TO TEACH OR SUGGEST THE LIMITATIONS OF CLAIMS 3, 4, 10, 11, 16, AND 19-21

CLAIM 3

In order to establish a *prima facie* case of obviousness, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The U.S. Supreme Court's decision in *KSR Intl. Co. v. Teleflex Inc.*, did not overrule this requirement. In this instance, the Examiner fails to establish that the '095 and the '832 Patents teach or suggest all of the limitations of the pending claims. Specifically, Appellant's claim 3 requires:

A floor care cleaning apparatus, comprising:

a nozzle assembly including a housing defining an agitator cavity;

a canister assembly connected to said nozzle assembly;

a suction generator carried by one of said nozzle assembly and said canister assembly;

a dirt collection vessel carried by one of said nozzle assembly and said canister assembly; and

an agitator cavity fitting received in said agitator cavity of said nozzle assembly, said agitator cavity fitting including, at least one mounting lug, at least one connector, a cooperating air guide and a conduit, said conduit defining an intake port:

said housing being further characterized by including at least one receiver receiving said at least one mounting lug, at least one slot receiving said at least one connector and a channel for receiving said air guide. (emphasis added)

Nowhere does the '095 Patent teach or suggest "a nozzle assembly including a housing defining an agitator cavity" **and** "an agitator cavity fitting received in said agitator cavity...said agitator cavity fitting including, at least one mounting lug, at least one connector, a cooperating air guide and a conduit, said conduit defining an intake port." In the October 5, 2009 Office Action, the Examiner only cites to "col. 3, lines 17-29" after listing several lines of elements forming claim 3. Col. 3, lines 17-29 of the '095 Patent

disclose an agitator housing 28 with an internal cylindrical surface 40. The housing 28 includes an internal lip 42 that marks the boundary between the cylindrical surface 40 and a groove 44. The '095 Patent specifically mentions that the groove 44 is "actually molded in" the cylindrical surface 40. *Col. 3, ll. 24-25*. The Examiner identified portion of the '095 Patent further describes a ledge 50, a helixed agitator 64 and a tubular formed suction connection 46 that is also integral with the agitator housing. ***No part of col. 3, ll. 17-29 teach or suggest any form of agitator cavity fitting, much less, one with a mounting lug, at least one connector, a cooperating air guide and a conduit.***

Attempting to remedy the lack of specific reference to the above-referenced structures, the Examiner included a couple of additional citations in the final Office Action issued January 5, 2010, after the Notice of Appeal was filed. In particular, the Examiner generally references "col. 2, lines 64-67" after mentioning the "agitator cavity fitting received in the agitator cavity of the nozzle assembly." Col. 2, lines 64-67 state:

Turning now to a more thorough description of the nozzle 10, it can be seen that the forward portions of it encompass an agitator housing 28, preferably of molded configuration, that is firmly attached to the nozzle.

This citation has absolutely nothing to do with an "agitator cavity fitting received in the agitator cavity of the nozzle assembly." Instead, this passage merely mentions that the nozzle 10 includes an agitator housing 28, preferably of molded configuration.

The '832 Patent also fails to provide these teachings. The Examiner inferentially agrees with this, as it appears that the only reason that he cites the '832 Patent is to show use of a "lug."

Since no combination of the '095 and '832 Patents teach or suggest all of the limitations of claim 3, no *prima facie* case of obviousness can be established. Accordingly, the rejection is improper and claim 3 should be allowed.

CLAIMS 4, 10, and 11

By their dependence, claims 4, 10, and 11 should also be allowed. Moreover, the Examiner fails to identify where the elements of these claims are taught or suggested by the '095 and/or '832 Patents. In fact, the Examiner never specifically addresses these claims. Claim 4 requires that the at least one receiver comprises at least one aperture receiving said at least one mounting lug. Nowhere does the Examiner identify any form of receiver comprising at least one aperture.

Claim 10 requires that the housing also includes an opening receiving said conduit. Again, the Examiner fails to identify any form of opening in the housing, much less, an opening receiving the conduit.

As for claim 11, it requires that the air guide partially lines said agitator cavity. The Examiner fails to identify the air guide and also fails to show how the '095 and/or '832 Patents teach or suggest an air guide that partially lines the agitator cavity.

Accordingly, for these additional reasons, the Examiner has failed to establish a *prima facie* case of obviousness.

CLAIM 16

Claim 16 requires:

A floor care cleaning apparatus comprising:
a housing including an agitator cavity;

a suction generator;
a dirt collection vessel; and

an agitator cavity fitting received in said agitator cavity of said housing, said agitator cavity fitting including at least one mounting connector, at least one mounting lug, a cooperating air guide and a conduit, said conduit defining an intake port:

said housing further including at least one receiver receiving said at least one mounting lug, at least one slot receiving said at least one connector and a channel receiving said air guide.

Nowhere does the '095 Patent teach or suggest "a housing including an agitator cavity" *and* "an agitator cavity fitting received in said agitator cavity...said agitator cavity fitting including, at least one mounting connector, at least one mounting lug, a cooperating air guide and a conduit, said conduit defining an intake port." For the reasons provided above with regard to claim 3, claim 16 should also be allowed.

CLAIMS 19-21

By their dependence, 19-21 should also be allowed. Also, similar to dependent claims 4, 10, and 11 discussed above, the Examiner fails to specifically address dependent claims 19-21.

Claim 19 requires that the housing also includes an opening receiving said conduit. The Examiner fails to identify any form of opening in the housing, much less, an opening receiving the conduit.

With regard to claim 20, it requires that the air guide partially lines said agitator cavity. The Examiner fails to identify the air guide and also fails to show how the '095 and/or '832 Patents teach an air guide that partially lines the agitator cavity.

Claim 21 requires that the tab is carried on the housing and a notch is carried on the agitator cavity fitting, the tab engaging the notch. Again, the Examiner fails to ever address any of these limitations.

Accordingly, for these additional reasons, the Examiner has failed to establish a *prima facie* case of obviousness.

B. THE ADMINISTRATIVE HANDLING OF THIS APPLICATION HAS BEEN IMPROPER

While not a ground of rejection made by the Examiner, Appellant also requests the Board to review the administrative handling of this file. At least eight Office Actions have issued in this case. Claims have been allowed (or indicated as allowable) on at least three occasions. Each time, Appellant has accepted the allowable coverage only to have it later withdrawn. Although Appellant supports a thorough prosecution by the USPTO, prosecution has circularly progressed in a protracted manner for reasons unknown to the Appellant.

In particular, the '095 Patent (which forms the core of the rejections under 35 USC §103(a) currently being appealed) was first cited by Primary Examiner Theresa Snider to support a rejection under 35 USC §103(a) in an Office Action issued on January 14, 2008. This Office Action was issued after a previous search and Office Action issued by Primary Examiner Terrence Till. Appellant overcame the rejections in view of the '095 Patent and the claims were subsequently indicated as "allowable." Although Appellant overcame the rejections and the claims were indicated as "allowable," the USPTO later issued an Office Action on October 31, 2008 rejecting the claims under 35 USC §102(b)

in view of the '095 Patent by itself! The October 31, 2008 Office Action was issued by Examiner Alvin Grant, the ***third*** Examiner to review this application. Appellant's counsel contacted the Examiner discuss the problematic nature of this rejection and the Examiner withdrew the rejection. Despite the insufficient teachings of the '095 Patent and a previous Examiner's acknowledgement of the same as a "base" reference to support a rejection under 35 USC §103(a), Examiner Grant issued an Office Action on October 5, 2009, rejecting the claims under 35 USC §103(a) in view of the '095 and '832 Patents. Appellant's counsel contacted Examiner Grant and his supervisor Joseph Hail to discuss the rejection. In particular, Appellant's counsel noted that the October 5th Office Action fails to establish where the '095 and '832 Patents teach or suggest the limitations of Appellant's claims. Appellant's counsel noted that the Office Action is substantially lacking details regarding the teachings of the '095 and '832 Patents and the elements in these patents that the Examiner contends correlate to elements in the pending claims. Instead, the Action only contains blocks of text with conclusory statements. During the telephone conference Appellant's counsel also inquired regarding Examiner's Grant's basis for conducting additional searches and reasserting art that has already been overcome. However, to date, Examiner Grant has failed to provide a reasonable basis for conducting the additional searches and reasserting art that has already been overcome.

As stated in MPEP 704.01:

When an examiner is assigned to act on an application *which has received one or more actions by some other examiner, full faith and credit should be given to the search and action of the previous examiner unless there is a clear error in the*

previous action or knowledge of other prior art. In general the second examiner should not take an entirely new approach to the application or attempt to reorient the point of view of the previous examiner, or make a new search in the mere hope of finding something. (emphasis added).

In this instance, the present application was fully reviewed by two primary examiners prior to being transferred to Examiner Grant. Examiner Grant chose to conduct another search, despite the requirement of MPEP 704.01 to give “full faith and credit” to the search and action of the previous examiner.

Given the expense of patent prosecution, the cost in this matter has progressed seemingly unfairly given the unnecessary and additional searches performed. This has created an undue burden on the Appellant. Appellant respectfully submits that the record should indicate a modicum of reasoning as to why Examiner Grant has not given “full faith and credit” to the searches and examination previously conducted, along with a reasoning as to why the ‘095 Patent is still being considered.

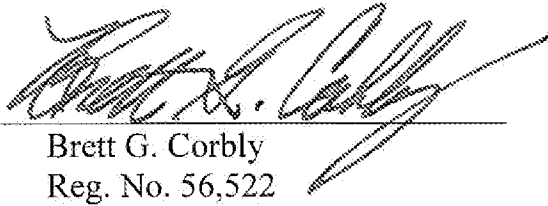
C. CONCLUSION

In view of the foregoing, Appellant respectfully submits that claims 3, 4, 10, 11, 16, and 19-21 are in condition for allowance. Accordingly, it is respectfully requested that the rejections to the pending claims be reversed and the application be remanded to

the Examiner for allowance. To the extent any fees are due, the undersigned authorizes their deduction from Deposit Account Number 11-0978.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

The claims on Appeal include 3, 4, 10, 11, 16, and 19-21, as follows:

- 1.- 2. (canceled)
3. (previously presented) A floor care cleaning apparatus, comprising:
 - a nozzle assembly including a housing defining an agitator cavity;
 - a canister assembly connected to said nozzle assembly;
 - a suction generator carried by one of said nozzle assembly and said canister assembly;
 - a dirt collection vessel carried by one of said nozzle assembly and said canister assembly; and
 - an agitator cavity fitting received in said agitator cavity of said nozzle assembly, said agitator cavity fitting including, at least one mounting lug, at least one connector, a cooperating air guide and a conduit, said conduit defining an intake port: said housing being further characterized by including at least one receiver receiving said at least one mounting lug, at least one slot receiving said at least one connector and a channel for receiving said air guide.
4. (previously presented) The floor care cleaning apparatus of claim 3, wherein said at least one receiver comprises at least one aperture receiving said at least one mounting lug.

- 5.-9. (canceled)

10. (previously presented) The floor care cleaning apparatus of claim 3, wherein said housing also includes an opening receiving said conduit.

11. (original) The floor care cleaning apparatus of claim 10, wherein said air guide partially lines said agitator cavity.

12.-15. (canceled)

16. (previously presented) A floor care cleaning apparatus comprising:
a housing including an agitator cavity;
a suction generator;
a dirt collection vessel; and
an agitator cavity fitting received in said agitator cavity of said housing,
said agitator cavity fitting including at least one mounting connector, at least one mounting lug, a cooperating air guide and a conduit, said conduit defining an intake port;
said housing further including at least one receiver receiving said at least one mounting lug, at least one slot receiving said at least one connector and a channel receiving said air guide.

17.-18. (canceled)

19. (previously presented) The floor care cleaning apparatus of claim 16, wherein said housing also includes an opening receiving said conduit.

20. (original) The floor care cleaning apparatus of claim 19, wherein said air guide partially lines said agitator cavity.

21. (original) The floor care cleaning apparatus of claim 20, wherein a tab is carried on said housing and a notch is carried on said agitator cavity fitting, said tab engaging said notch.

22.-26. (canceled)

IX. EVIDENCE APPENDIX

None

X. RELATED PROCEEDINGS APPENDIX

None